

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
ONE MANHATTAN WEST  
NEW YORK, NY 10001

DIRECT DIAL  
212-735-7852  
DIRECT FAX  
917-777-7852  
EMAIL ADDRESS  
SCOTT.MUSOFF@SKADDEN.COM

TEL: (212) 735-3000  
FAX: (212) 735-2000  
[www.skadden.com](http://www.skadden.com)

FIRM/AFFILIATE OFFICES

BOSTON  
CHICAGO  
HOUSTON  
LOS ANGELES  
PALO ALTO  
WASHINGTON, D.C.  
WILMINGTON  
-----  
BEIJING  
BRUSSELS  
FRANKFURT  
HONG KONG  
LONDON  
MOSCOW  
MUNICH  
PARIS  
SÃO PAULO  
SEOUL  
SHANGHAI  
SINGAPORE  
TOKYO  
TORONTO

October 13, 2021

**Via ECF**

The Honorable Edward S. Kiel  
United States Magistrate Judge  
Martin Luther King Jr. U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

RE: Blueprint Capital Advisors, LLC v. Murphy, et al., No. 20-cv-07663

Dear Magistrate Judge Kiel:

I submit this letter on behalf of all parties in order to update the Court on the status of discovery in advance of the October 18, 2021 status conference in the above-caption action.

**Plaintiff's Position:**

For the reasons set forth in Plaintiff's appeal of the Magistrate Judge's decision on the Defendants' motions to stay, we believe this matter is improperly stayed, certain of the predicates for that ruling no longer exist, and Plaintiff should be permitted to proceed with discovery. Accordingly, Plaintiff requests to be heard on this at the conference.

Magistrate Judge Kiel  
October 13, 2021  
Page 2

**Defendants' Position:**

At the last status conference, on July 8, 2021, the Court stayed discovery in this action pending resolution of the Defendants' motions to dismiss the Amended Complaint (the "July 8 Order"). On July 22, 2021, Plaintiff appealed the July 8 Order to Judge Neals. (ECF No. 170.) That appeal has been fully briefed and is currently pending before Judge Neals. As a result, Defendants respectfully submit that there are no issues to address at the upcoming conference.

Respectfully,

*/s/ Scott D. Musoff*

Scott D. Musoff  
Bar No. 050031994

cc: All counsel of record (via ECF)